IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24013 of 2004

Between:

Neerla Aruna D/o.Yellaiah
H.No.3-6-76/A(3-6-117 New) Adarsh Nagar,
Karimnagar Dist.

..... PETITIONER

AND

The Mandal Revenue Officer
Karimnagar.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more in the nature of writ of mandamus directing the respondent herein not to dispossess the petitioner from her house site i.e.Plot No.8 in Sy.No.1482 extent 121 Sq.Yds. situated at Karkhanagadda (weekly Bazar) Karimnagar without following due procedure under law by duly declaring the action of the respondent in making attempts to dispossess the petitioner from her house site which was assigned by the respondent in the year 1996 vide form of order of Assignment of House in towns No.B2/1414/91 dt 15-3-1996 even though the petitioner has not contravened any of the conditions mentioned in the above said assignment order is nothing but arbitrary, illegal and violative of Art.14 and 21 of the constitution of India apart form violation of principles of natural justice and also law laid down with regard to assignment of house sites and pass such other order or orders.

Counsel for the Petitioner:MR.V.RAVI KIRAN RAO

Counsel for sole Respondent.: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

The petitioner claims that vide proceedings No.B2/1414/91 dated 15-3-1996, he was assigned an extent of 121 sq.yards of land in Survey No.1482, Karkahangadda, Karimnagar and he is possession and enjoyment of the same. It is also stated that the petitioner has not violated any conditions of assignment made in his favour and the same is still in force and no orders canceling the said assignment were passed. The grievance of the petitioner is that on 16-12-2004 the subordinate staff of the respondent visited the subject site and orally informed the petitioner that the said site is being allotted to third parties and threatened to dispossess him from the subject land. Hence, the present writ petition.

Heard learned counsel for petitioner and learned Government Pleader for Revenue. Both counsel agreed for disposal of the writ petition at the admission stage.

Since the petitioner claims that the subject land was assigned to him vide proceedings dated 15-3-1996 and he is in possession and enjoyment of the same, the writ petition is disposed of directing the respondent to follow due procedure contemplated under law, in the event of dispossession or eviction of the petitioner from the subject land. Till such time, status quo existing as on today shall be maintained. No costs.

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N.V.RAMANA,J

23-12-2004

TVK

To

1.. The Mandal Revenue Officer, Karimnagar Dist.

2.2CCs to G.P. for Revenue, High Court of A.P. buildings, Hyd (OUT)

3.2CD copies

4.2CCs to